

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

IN RE:
DEAN B. DAVIS,
Debtor.

CASE NO.: **14-04283-JAF**

First Payment Due Date: October 2, 2014
Claims Bar Date: January 12, 2015
341: October 14, 2014 at 9:30am
Confirmation: November 18, 2014 at 1:30pm
Cont. Confirmation: February 3, 2015 at 1:30 PM

FIFTH AMENDED CHAPTER 13 PLAN

1. The future earnings or income of the Debtor(s) is submitted to the supervision and control of the Trustee.
2. The total of **\$2,915.00** per month, for months **1-10** and **\$3,000.00** for months **11-60** shall be submitted to the control of the Trustee for administration on behalf of creditors filing allowed claims, for a duration of **sixty (60)** months, i.e. the “life of the plan”, or, alternatively, until all such claims are paid in full.
3. The Trustee shall make the following disbursements from the payments so received:

A. PRIORITY CLAIMS

- (1) The fees and expenses of the Trustee shall be paid over the life of the plan at the rate of ten percent (10%) of the amount of all payments remitted under the plan.
- (2) **The Law Offices of Keith D. Collier** has an administrative priority claim in the amount of \$2,830.00. Upon confirmation the Trustee shall make payments of **\$1,202.00** per month, for months **1-2** and **\$426.00** for month **3**, with no interest, in order to satisfy this obligation. The Trustee shall also make payments of **\$25.00** per month, for months **1-36**, for monthly administrative fees.
- (3) The **Internal Revenue Service** has a priority claim in the amount of \$7,504.36 for past due personal taxes. The Trustee shall make payments of **\$131.67** per month, for months **4-60**, in order to satisfy this obligation.

B. SECURED CLAIMS

- (1) **Kondaur Capital Corporation (Account Ending In #7992)** has the first mortgage on the Debtor’s principal residence located at (14661 Christen Dr., Jacksonville, FL 32218). The Trustee shall make the regular monthly payments of **\$1,295.99** for months **1-2** and **\$1,193.62** for months **3-60**, subject to periodic changes in accordance with variations in the prevailing discount rate and/or potential escrow advances paid by this secured creditor. The total arrearage on the mortgage payments is \$52,250.92, which includes late charges, reasonable pre-petition attorney’s fees, and costs. The Trustee shall pay this creditor **\$916.69** per month, for months **4-60**, toward the arrearage to bring the mortgage payments current over the life of the plan.

- (2) **Hidden Lake Homeowners Association of Jacksonville, Inc** has a lien on the Debtor's principal residence located at (14661 Christen Dr., Jacksonville, FL 32218) in the amount of \$3,000.00. The Trustee shall pay this creditor **\$61.06** per month, from payments **4-60**, which includes six percent (6%) interest, for the life of the plan to satisfy this obligation. **Totaling \$3,479.90**
- (3) **US Bank Home Mortgage (Account Ending In #7122)** has the first mortgage on the Debtor's Ex wife's house located at (10560 Villanova Rd., Jacksonville, FL 32218). **The Debtor(s) surrender their interest in this property for full satisfaction of this debt.**
- (4) **TMX Finance of Florida, Inc (Account Ending In #2701)** holds a security interest in the Debtor's 2007 Ford Expedition in the amount of \$5,340.00. The Trustee shall pay this creditor **\$100.00** per month, for months **1-9** and **\$105.89** for month **10-60**, which includes six percent (6%) interest, for the life of the plan to satisfy this obligation. **Totaling \$6,194.23**
- (5) **Wells Fargo Bank, N. A. (Account Ending In # 1172)** holds a security interest in the Debtor's Open-End Revolving Credit Savings Account in the amount of \$269.15. **The debtor(s) surrender their interest in this account for full satisfaction of this debt.**
- (6) All secured creditors will retain their liens, pursuant to 11 U.S.C. 1325(a)(B)(i).

C. UNSECURED CLAIMS

- (1) Unsecured creditors, including those secured creditors having deficiency claims or whose liens have been avoided, shall receive distribution on a pro-rata basis after all administrative, priority and secured claims have been paid in full. The Trustee shall distribute the remaining monies paid into the plan, after payment of all other creditors under the plan, to said unsecured creditors.
- (2) Any claim filed after the last date to file claims, shall receive no distribution under this plan unless specifically provided for above.

D. GENERAL PROVISIONS

- (1) The Debtor(s) does not reject any executory contracts.
- (2) Title to all property in the estate shall re-vest in the Debtors upon confirmation of this plan.
- (3) Except as provided for in the plan, Student Loans and as to the United States Department of Education, the order confirming the plan or other court order, no interest, late charges, penalties or attorneys' fees will be paid to or accessible by any creditor. 11 U.S.C. Section 1327(a) provides: "The provisions of a confirmed plan bind the Debtor and each creditor, whether or not the claim of such creditor is provided for by the plan, and whether or not such creditor has objected to, has accepted, or has rejected the plan."
- (4) Confirmation of the plan shall impose an affirmative duty on the holders and/or the servicers of any claims secured by liens, mortgages and /or deeds of trust on the principal residence of the Debtors to do all of the following:
 - (A) To apply the payments received from the trustee on the prepetition arrearages, if an, only to such arrearages. For purposed of this plan, the "prepetition" arrears shall include all sums included in the "allowed" proof of claim and shall have a "0" balance upon entry of the Discharge Order in this care.

- (B) To deem the prepetition arrearages as contractually current upon confirmation of the plan, thereby precluding the imposition of late payment charges or other default-related fees and services based solely on the prepetition default or defaults.
- (C) To apply the direct post-petition monthly mortgage payments paid by the trustee or by the Debtors to the month in which each payment was designated to be made under the plan or directly by the Debtors, whether or not such payments are immediately applied by the creditor to the outstanding loan balance or are placed into some type of suspense, forbearance or similar account.

DATED: January 12, 2015

The Law Offices of Keith D. Collier

/s/ Keith D. Collier, Esquire

KEITH D. COLLIER

Florida Bar No.: 0633771

2350 Park Street

Jacksonville, Florida 32204

(904) 696-DEBT (3328)/Fax: 981-8015

Collier@KeithDCollier.com

Attorney for Debtor(s)

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

IN RE:

CASE NO.: **14-04283-JAF**

DEAN B. DAVIS,

Debtor(s).

_____/

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the attached Debtor's Fifth Amended Chapter 13 Plan has been furnished by Electronic Mail/U.S. Mail to all parties of interest on the attached mailing matrix this 12th day of January 2015.

The Law Offices of Keith D. Collier, PLLC

/s/ Keith D. Collier, Esquire

KEITH D. COLLIER

Florida Bar No.: 0633771

2350 Park Street

Jacksonville, Florida 32204

(904) 981-8100/Fax: 981-8015

Attorney for Debtor(s)

Label Matrix for local noticing
113A-3
Case 3:14-bk-04283-JAF
Middle District of Florida
Jacksonville
Mon Jan 12 16:57:23 EST 2015

Dean B. Davis
14661 Christen Dr
Jacksonville, FL 32218-0828

Kondaur Capital Corporation
c/o Berger Firm P.A.
2410 Hollywood Boulevard
Hollywood, FL 33020-6607

American InfoSource LP as agent for
DIRECTV, LLC
PO Box 51178
Los Angeles, CA 90051-5478

American InfoSource LP as agent for
Midland Funding LLC
PO Box 268941
Oklahoma City, OK 73126-8941

American InfoSource LP as agent for
T Mobile/T-Mobile USA Inc
PO Box 248848
Oklahoma City, OK 73124-8848

Cap One
PO Box 5253
Carol Stream, IL 60197-5253

Cap One
PO Box 52530
Carol Stream, IL 60196

(p)CAPITAL ONE
PO BOX 30285
SALT LAKE CITY UT 84130-0285

Capital 1 Bank
Attn: General Correspondence
PO Box 30285
Salt Lake City, UT 84130-0285

Capital One, N.A.
c o Becket and Lee LLP
POB 3001
Malvern, PA 19355-0701

Carrington Mortgage SE
1610 E Saint Andrew Pl
Santa Ana, CA 92705-4931

Carrington Mortgage SE
PO Box 54285
Irvine, CA 92619-4285

City of Jacksonville
117 West Duval Street Ste. 480
Jacksonville, FL 32202-5721

Coastline Federal Cred
4651 Emerson St
Jacksonville, FL 32207-4920

Convergent Outsourcing
800 SW 39th St
Renton, WA 98057-4975

Credit One Bank
PO Box 98873
Las Vegas, NV 89193-8873

Credit One Bank NA
PO Box 98872
Las Vegas, NV 89193-8872

(p)DIRECTV LLC
ATTN BANKRUPTCIES
PO BOX 6550
GREENWOOD VILLAGE CO 80155-6550

Diversified
10550 Deerwood Park Blvd
Jacksonville, FL 32256-2805

Duval County Tax Collector
231 Forsyth St. #130
Jacksonville FL 32202-3380

Er Solutions/Convergent Outsourcing, Inc
PO Box 9004
Renton, WA 98057-9004

First Premier Bank
3820 N Louise Ave
Sioux Falls, SD 57107-0145

Florida Dept. of Revenue
Bankruptcy Unit
P.O. Box 6668
Tallahassee, FL 32314-6668

Francine Clair Landau
3740 Beach Blvd Ste 307-B
Jacksonville, FL 32207-3819

Frost - Arnet Company
PO Box 1022
Wixom, MI 48393-1022

GECRB/JC Penny
Attention: Bankruptcy
PO Box 103104
Roswell, GA 30076-9104

Gecrb/Care Credit
Attn: bankruptcy
PO Box 103104
Roswell, GA 30076-9104

Gemb/Walmart
Attn: Bankruptcy
PO Box 103104
Roswell, GA 30076-9104

Green Tree
PO Box 6172
Rapid City, SD 57709-6172

Hidden Lake Homeowners Association of Ja
463499 State Road 200
Yulee, FL 32097-3301

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

Kohls/capone
N56 W 17000 Ridgewood Dr
Menomonee Falls, WI 53051-7096

Kondaaur Capital Corp
1 City Blvd W
Orange, CA 92868-3621

Kondaaur Capital Corporation
Chase Berger
Berger Firm, P.A.
2410 Hollywood Boulevard
Hollywood FL 33020-6607

LTD Financial Services, LP
7322 Southwest Fwy Ste 1600
Houston, TX 77074-2134

Law offices of Keith D. Collier
2350 Park St
Jacksonville, FL 32204-4318

Midland Funding
8875 Aero Dr Ste 200
San Diego, CA 92123-2255

Pnc Mortgage
3232 Newmark Dr
Miamisburg, OH 45342-5433

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Portfolio Recovery Ass
120 Corporate Blvd Ste 1
Norfolk, VA 23502-4962

(p)PROFESSIONAL DEBT MEDIATION
7948 BAYMEADOWS WAY
2ND FLOOR
JACKSONVILLE FL 32256-8539

Professional Debt Medi
7948 Baymeadows Way Fl 2
Jacksonville, FL 32256-8539

Santander Consumer USA
8585 N Stemmons Fwy Ste 1100-N
Dallas, TX 75247-3822

Santander Consumer USA Inc
P.O. Box 961245
Fort Worth, TX 76161-0244

Southern Management
PO Box 149966
Orlando, FL 32814-8966

Syncb/Care Credit
950 Forrer Blvd
Kettering, OH 45420-1469

Syncb/Walmart
PO Box 965024
Orlando, FL 32896-5024

Syncb/jcp
PO Box 965007
Orlando, FL 32896-5007

Synchrony Bank
c/o Recovery Management Systems Corp
25 SE 2nd Ave Suite 1120
Miami FL 33131-1605

TMX Finance of Florida, Inc
10161 Atlantic Blvd
Jacksonville, FL 32225-6568

U.S. Bank Home Mortgage
U.S. Bank National Association
4801 Frederica Street
Owensboro, Kentucky 42301-7441

US Bank Home Mortgage
4801 Frederica St
Owensboro, KY 42301-7441

Uac/sst
4315 Pickett Rd
Saint Joseph, MO 64503-1600

Union Acceptance Corp
4315 Pickett Rd
Saint Joseph, MO 64503-1600

United States Attorney
300 North Hogan St Suite 700
Jacksonville, FL 32202-4204

Wells Fargo Bank
PO Box 14517
Des Moines, IA 50306-3517

Wells Fargo Card Ser
1 Home Campus Fl 3
Des Moines, IA 50328-0001

Wells Fargo Card Services
1 Home Campus
3rd Floor
Des Moines, IA 50328-0001

United States Trustee - JAX 13/7/74
 Office of the United States Trustee
 George C Young Federal Building
 400 West Washington Street, Suite 1100
 Orlando, FL 32801-2210

Keith D. Collier +
 Law Offices of Keith D. Collier (Jax)
 2350 Park Street
 Jacksonville, FL 32204-4318

Douglas W. Neway +
 P O Box 4308
 Jacksonville, FL 32201-4308

Chase A Berger +
 Berger Firm, P.A.
 2410 Hollywood Boulevard
 Hollywood, FL 33020-6607

Note: Entries with a '+' at the end of the
 name have an email address on file in CMECF

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
 by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Cap One
 PO Box 85520
 Richmond, VA 23285-5520

Direct TV
 PO Box 78626
 Phoenix, AZ 85062-8626

Internal Revenue Servic
 400 W Bay St
 Jacksonville, FL 32202-4410

Portfolio Recovery
 Attn: Bankruptcy
 PO Box 41067
 Norfolk, VA 23541-1067

(d)Portfolio Recovery Associates, LLC
 POB 41067
 Norfolk VA 23541

Professional Debt
 7948 Baymeadows Way Fl 2
 Jacksonville, FL 32256-8539

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Jerry A. Funk
 Jacksonville

End of Label Matrix	
Mailable recipients	64
Bypassed recipients	1
Total	65